

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ELLIS TURNAGE

PLAINTIFF

VS.

CIVIL ACTION NO. 4:13-CV-00145-JMV

CLEVELAND STATE BANK, ET AL.

DEFENDANTS

ORDER

By an Order [#37] entered September 16, 2014, this court sealed certain documents and awarded attorney's fees to defense counsel as a consequence of the plaintiff's counsel's improper disclosure of documents subject to a protective order previously entered in this case. In the September 16 Order, the court indicated it would further address the issue of attorney's fees by separate order and does so now.

Although counsel for the plaintiff has represented that the disclosure of the subject documents in violation of the protective order was inadvertent—and the court accepts that representation—it is the court's view that since the disclosure nevertheless necessitated the expenditure of counsel fees by the defendants, an award of *reasonable* attorney's fees is appropriate. Accordingly, the court requires defense counsel to file an itemized affidavit of fees and expenses expended in resolving the inadvertent disclosure of confidential documents within 7 days hereof. Plaintiff's counsel shall have 7 days thereafter to file any response to the affidavit, and the court will thereafter assess the amount to be awarded.

SO ORDERED this 25th day of September, 2014.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE